

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-vs-

Case No. 05-74891
Hon: AVERN COHN

ENVISIONTEC, INC.,
ENVISIONTEC GMBH and
SIBCO, INC.,

Defendants.

_____ /

ORDER DENYING PLAINTIFF'S MOTION FOR PERMANENT INJUNCTION

For the reasons stated on the record on April 25, 2011, as supplemented below, Plaintiff's Motion for Permanent Injunction (Doc. 296) is DENIED.

As noted, the evidence relating to the competitive positions of the parties is too thin for the Court to apply the principles enunciated in *eBay, Inc. v. MercExchange, LLC*, 547 U.S. 388 (2006). See, *Smith & Nephew, Inc. v. Synthes (U.S.A.)*, 466 F.Supp.2d 978 (W.D. Tenn. 2006).

Plaintiff may renew its motion at such time as it can better define the competitive conditions for stereographic machines.

SO ORDERED.

Dated: April 25, 2011

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

**05-74891 3D Systems, Inc. v. Envisiontec, Inc., et al
Order Denying Plaintiff's Motion for Permanent Injunction**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, April 25, 2011, by electronic and/or ordinary mail.

S/Julie Owens
Case Manager, (313) 234-5160